

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of) DOCKET NO. 2008-0083
)
HAWAIIAN ELECTRIC COMPANY, INC.)
)
)
For Approval of Rate Increases and Revised)
Rate Schedules and Rules.)
_____)

FILED
2008 AUG 20 P 3:41
PUBLIC UTILITIES
COMMISSION

MOTION TO INTERVENE AND BECOME A PARTY

CERTIFICATE OF SERVICE

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SAM'S WEST, INC.

¹ A Motion to Appear before the Hawaii Public Utilities Commission was filed concurrently with this Motion to Intervene and Become a Party and is pending approval.

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MOTION TO INTERVENE AND BECOME A PARTY

Pursuant to Hawaii Administrative Rule ("HAR") sec. 6-61-55, this "Motion to Intervene and Become a Party" before the Public Utilities Commission of the State of Hawaii (Docket No. 2008-0083) is respectfully submitted by Wal-Mart Stores, Inc. and Sam's West, Inc. (collectively, "Wal-Mart"), by and through its attorneys.

As grounds for said intervention, Wal-Mart avers as follows:

1. Wal-Mart, with corporate headquarters located at 2001 SE 10th Street, Bentonville, Arkansas 72716-0550, is a large retailer with five facilities in Hawaiian Electric Company, Inc.'s ("HECO") service territory. Wal-Mart's facilities include Wal-Mart Discount stores and a Sam's Club. Wal-Mart has a substantial and vital interest in the outcome of this proceeding that cannot be adequately represented by any other party. Wal-Mart is a large retail customer of HECO that uses approximately 23,000,000 kWh/year. As such, HECO's application for a rate increase could dramatically impact Wal-Mart's cost structure for procuring the energy it requires to operate in Hawaii.
2. Wal-Mart is not aware of any other means available to it where it can effectively protect its interests.

3. It is not unlikely that Wal-Mart's position may be different from those advocated by HECO, the Consumer Advocate, or any other party to the instant proceeding.

4. Wal-Mart's participation will contribute to the production of complete and accurate discovery and to the development of a sound record. Wal-Mart believes its participation will enable the Commission to view and consider more relevant and pertinent information than it would otherwise.

5. Wal-Mart's intervention would serve the public interest to the extent that Wal-Mart seeks to ensure that the rate design and implementation of any rate increase adopted in this docket is distributed fairly across all customer classes.

6. Communications in regard to this petition are to be addressed to:

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6212-A Old Franconia Road
Alexandria, VA 22310
holly@raysmithlaw.com

and

Bruce D. Voss, Esq.
Lori N. Tanigawa, Esq.
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1099 Alakea Street
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with copies to:

Steve W. Chriss
Wal-Mart Stores, Inc.
2001 SE 10th Street
Bentonville, AR 72716-0550

and

Holly Rachel Smith, Esq.
PO Box 1533
Middleburg, VA 20118

WHEREFORE, Wal-Mart requests an order granting its Motion to Intervene and Become a Party hereto with the right to have notice of, and appear at the taking of testimony, produce and cross examine witnesses, and be heard in person or by counsel, upon brief and at oral argument, if oral argument is granted, and to otherwise be granted full party status herein.

DATED: Honolulu, Hawaii, August 20, 2008.



BRUCE D. VOSS
LORI N. TANIGAWA

and

HOLLY RACHEL SMITH²

Attorneys for WAL-MART STORES, INC. and
SAM'S WEST, INC.

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CERTIFICATE OF SERVICE

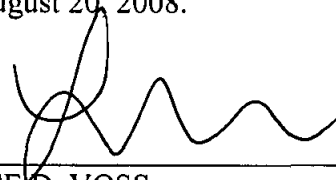
I hereby certify that on August 20, 2008, copies of the foregoing document were
duly served on the following party, in the manner indicated:

Division of Consumer Advocacy	via U.S. Mail
Department of Commerce and Consumer Affairs	2 copies
333 Merchant Street, Room 326	
Honolulu, Hawaii 96813	

William A. Bonnet	via U.S. Mail
Dean K. Matsuura	
Hawaiian Electric Company, Inc.	
P.O. Box 2750	
Honolulu, Hawaii 96840-0001	

David C. Coker	via U.S. Mail
Gayle B. Chestnut	
Naval Facilities Engineering Command Pacific	
258 Makalapa Drive, Suite 100	
Pearl Harbor, HI 96860-3134	

DATED: Honolulu, Hawaii, August 20, 2008.



BRUCE D. VOSS
LORI N. TANIGAWA

and

HOLLY RACHEL SMITH³

Attorneys for WAL-MART STORES, INC. and
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